

impaired (202) 708-2565, (these telephone numbers are not toll-free), or call the toll-free Title V information line at 1-800-927-7588.

SUPPLEMENTARY INFORMATION: In accordance with the December 12, 1988 court order in *National Coalition for the Homeless v. Veterans Administration*, No. 88-2503-OG (D.D.C.), HUD publishes a Notice, on a weekly basis, identifying unutilized, underutilized, excess and surplus Federal buildings and real property that HUD has reviewed for suitability for use to assist the homeless. Today's Notice is for the purpose of announcing that no additional properties have been determined suitable or unsuitable this week.

Dated: September 22, 1995.

Ken Williams,

Deputy Assistant Secretary for Grant Programs.

[FR Doc. 95-24070 Filed 9-28-95; 8:45 am]

BILLING CODE 4510-29-M

[Docket No. FR-2856-N-03]

Office of the Assistant Secretary for Public and Indian Housing; Notice of Proposed Information Collection for Public Comment

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice.

SUMMARY: The proposed information collection requirement described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

DATES: *Comments due:* November 28, 1995.

ADDRESSES: Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB Control Number and should be sent to: Mildred M. Hamman, Reports Liaison Officer, Public and Indian Housing, Department of Housing and Urban Development, 451-7th Street, SW., Room 4240, Washington, DC 20410-5000.

FOR FURTHER INFORMATION CONTACT: Mildred M. Hamman, (202)-708-0846, (this is not a toll-free number) for copies of the proposed forms and other available documents.

SUPPLEMENTARY INFORMATION: The Department will submit the proposed information collection to OMB for

review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended).

The Notice is soliciting comments from members of the public and affecting agencies concerning the proposed collection of information to: (1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (2) Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (3) Enhance the quality, utility, and clarify of the information to be collected; and (4) Minimize the burden of the collection of information of those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

This Notice also lists the following information:

Title of Proposal: Public Housing-Contracting with Resident-Owned Businesses

OMB Control Number, if applicable: 2577-0161

Description of the need for the information and proposed use: The information is necessary so that the applicants (resident-owned businesses) seeking to qualify for noncompetitive contracting with the PHA will be eligible to be solicited by the PHA as a contractor for a proposed contract.

Agency forms numbers, if applicable: Not applicable.

Members of affected public: Individuals or households; State or local governments; nonprofit institutions; small businesses or organizations.

Estimation of the total numbers of hours needed to prepare the information collection including number of respondents, frequency of response, and hours of response: 500 respondents, annually, 9 average hours per response, 10,000 hours for a total reporting burden.

Status of the proposed information collection: Extension, without change.

Authority: Section 3506 of the Paperwork Reduction Act of 1995, 44 U.S.C. Chapter 35, as amended.

Dated: September 21, 1995.

Joseph Shuldiner,

Assistant Secretary for Public and Indian Housing.

[FR Doc. 95-24227 Filed 9-28-95; 8:45 am]

BILLING CODE 4210-33-M

Office of the Assistant Secretary for Public and Indian Housing

[Docket No. FR-3972-D-01]

Superseding and Redefinition of Authority Regarding Waiver of Public and Indian Housing Directives for the Public Housing, Indian Housing and Section 8 Rental Voucher, Rental Certificate, and Moderate Rehabilitation Programs and for Waiver of Conflict of Interest Prohibitions in Section 8 Contracts for the Rental Voucher, Rental Certificate and Moderate Rehabilitation Programs

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Superseding and Redefinition of Authority to Issue Waivers of Office of Public and Indian Housing Directives for Public Housing, Indian Housing and Section 8 Rental Certificate, Rental Voucher and Moderate Rehabilitation Programs and to Waive Conflict of Interest Prohibitions in Section 8 Contracts for the Rental Certificate, Rental Voucher and Moderate Rehabilitation Programs. (This notice does not apply to the Moderate Rehabilitation Single Room Occupancy Program.)

SUMMARY: This notice consolidates in one document:

- Authority to waive Office of Public and Indian Housing directives for the Public Housing Program, Indian Housing Program and the Section 8 Rental Certificate Program, Rental Voucher Program and Moderate Rehabilitation Program and
- Authority to waive conflict of interest prohibitions for the Section 8 Rental Certificate and Rental Voucher programs and the Section 8 Moderate Rehabilitation Program.

The authority to waive Office of Public and Indian Housing Directives was previously retained and administered by the HUD Field Office Directors of Indian Programs, the Field Office Directors of HUD Public Housing Divisions and the Headquarters Director, Office of Native American Programs. The authority to waive conflict of interest prohibitions in the Section 8 Rental Certificate, Rental Voucher and Moderate Rehabilitation Programs was previously retained and administered by the Field Office Regional Administrators, Deputy Regional Administrators, Area Managers, Deputy Area Managers and Multifamily Service Office Supervisors.

This notice supersedes the prior redelegations of authority to waive

Section 8 conflict of interest prohibitions published at 45 FR 54143, August 14, 1980 and the redelegation of authority for the issuance of waivers of Office of Public and Indian Housing Directives published at 34 FR 8266, February 18, 1994. It does not supersede the authority regarding the waiver of conflict of interest provisions for the public housing and Indian Housing programs.

The authority to waive the conflict of interest includes the contracts for the Section 8 Rental Certificate, Rental Voucher and Moderate Rehabilitation Programs (exclusive of Moderate Rehabilitation Single Room Occupancy Program.)

This notice relates only to the waiver of Public and Indian Housing directives and Section 8 conflict of interest prohibitions and does not grant authority to waive contractual provisions. This redelegation does not include authority to waive statutes, regulations or contracts and does not confer authority to waive the requirement that Housing Authorities (HAs) must use forms required by HUD Headquarters. Further, this redelegation does not confer authority to waive the requirement that HAs maintain program accounts in accordance with HUD regulations, or to waive provisions in Notices of Funding Availability.

EFFECTIVE DATE: September 21, 1995.

FOR FURTHER INFORMATION CONTACT: With respect to conflict of interest prohibitions, contact Madeline Hastings, Director, Office of Rental Assistance, Department of Housing and Urban Development, Room 4226, 451 7th Street, SW., Washington, DC 20410, telephone (202) 708-1842. With respect to directives, contact Mildred M. Hamman, Directives Management Officer, Office of Public and Indian Housing, Department of Housing and Urban Development, Room 4244, 451 7th Street, SW., Washington, DC, telephone (202) 708-0846. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION: Section 106 of the Department of Housing and Urban Development Reform Act of 1989 (Pub. L. 101-235, approved December 15, 1989) (HUD Reform Act), amended section 7 of the Department of Housing and Urban Development Act (42 U.S.C. 3535 (HUD Act) by adding section 7(q), governing circumstances upon which the Department may issue waivers of regulations and handbooks. According to section 7(q)(2), only an individual of Assistant Secretary rank or the equivalent may waive a regulation. This redelegation of authority does not

include the authority to waive regulations.

On April 22, 1991, at 56 FR 16337, HUD published a Statement of Policy implementing Section 106 of the HUD Reform Act. The new notice stated that although new section 7(q)(4) of the HUD Act addressed only "handbooks", HUD would apply this term to all Departmental directives in order to give section 7(q)(4) "the widest possible coverage." Therefore, the term "directive" was defined in the notice as follows:

Directives means a Handbook (including a change or supplement), notice, interim notice, special directive, and any other issuance that the Department may classify as a directive.

The Policy Statement also indicated that the authority to waive directives may be delegated to any officer or employee in the issuing official's organization, as well as to any officer or employee in a field or regional office.

With respect to handbooks, section 7(q)(4) states that a waiver of a provision of a handbook must:

- (A) Be in writing;
- (B) Specify the grounds for approving the waiver; and
- (C) Be maintained in indexed form and made available for public inspection for not less than the 3-year period beginning on the date of the waiver.

The current process of reviewing requests to waive directives in Headquarters frequently adds an unnecessary layer to a procedure that can be adequately carried out at the HUD Field Office level. Officials in the HUD Field Offices are often best situated to assess and react promptly to requests for relief from administrative requirements of general application, where specific circumstances, unanticipated under the directive, warrant a departure from the ordinary standard.

Therefore, in keeping with the objectives of the Secretary of Housing and Urban Development to improve the efficiency and enhance the productivity of the Department, the Assistant Secretary for Public and Indian Housing is redelegating the authority to waive directives and Section 8 conflict of interest prohibitions.

Pursuant to 24 CFR 0.735-104 and 0.735-106 and HUD's Supplemental Standards of Conduct regulation, only the General Counsel may waive violations of HUD's Standards of Conduct regulations, including conflict of interest provisions. The General Counsel may not redelegate the authority to issue waivers of the

Standards of Conduct for HUD employees. The Field Offices may not grant waivers for conflicts of interest for HUD employees under program contracts or 24 CFR 982.161. Therefore, this redelegation does not grant any authority to waive HUD's Standards of Conduct regulations, including waiving conflicts of interest for HUD employees.

For example, pursuant to 24 CFR 0.735-204(4), with certain exceptions, a HUD employee may not own a financial interest in any Section 8 subsidy provided to or on behalf of a tenant of property owned by the employee. If a HUD employee seeks a waiver to obtain or retain an interest in a Section 8 subsidy, the General Counsel must grant or deny the employee's request. The Field Offices do not have authority to grant or deny the request.

All Office Directors and Administrators to whom waiver authority for directives and/or conflicts of interest prohibitions are hereby redelegated are cautioned against the development of local requirements, processes, or procedures to replace those that are waived, which would counteract the intent of the established waiver process or the intent of any HUD regulation.

Accordingly, the Assistant Secretary for Public and Indian Housing redelegates as follows:

Section A. Authority to waive directives

(1) The Assistant Secretary for Public and Indian Housing redelegates to HUD State and Area Office Directors of the Offices of Public Housing and to the Administrators of the Field Offices of Native American Programs (waiver officials) the authority to waive Office of Public and Indian Housing directives for Public Housing, Indian Housing and Section 8 programs.

(2) Paragraph (1) does not grant authority to waive:

- a. Any statutory or regulatory provision.
- b. Program contracts and other forms required by HUD Headquarters.
- c. A directive that requires a HUD Office action;
- d. Requirements to maintain complete and accurate accounts and other records for a program in accordance with HUD requirements and in the form required by HUD.
- e. Reporting requirements.
- f. Provisions in a Notice of Funding Availability and associated processing instructions;
- g. Any actual or potential conflict of interest on the part of a HUD employee.

Section B. Authority to Waive Prohibitions on Conflicts of Interest

(1) The Assistant Secretary for Public and Indian Housing redelegates to HUD State and Area Office Directors of the Offices of Public Housing and to the Administrators of the Offices of Native American Programs (waiver officials) the following authority to waive conflict of interest prohibitions in contracts executed under the Section 8 Rental Certificate and Rental Voucher Programs and the Section 8 Moderate Rehabilitation Program:

(a) In the case of the Section 8 Rental Certificate and Rental Voucher Programs, the authority to waive the conflict of interest prohibition for good cause in accordance with section 982.161, including the authority to waive related contractual conflict of interest prohibitions for non-HUD employees.

(b) In the case of the Section 8 Moderate Rehabilitation Program the authority to waive contractual conflict of interest prohibitions for non-HUD employees.

(2) Paragraph (1) does not grant authority to waive;

- a. Any statutory or regulatory provision.
- b. Program contracts and other forms required by HUD Headquarters.
- c. A directive that requires a HUD Office action;
- d. Requirements to maintain complete and accurate accounts and other records for a program in accordance with HUD requirements and in the form required by HUD.
- e. Reporting requirements.
- f. Provisions in a Notice of Funding Availability and associated processing instructions;
- g. Any actual or potential conflict of interest on the part of a HUD employee.

C. Procedures for Approval of a Waiver of a Directive or a Section 8 Conflict of Interest Prohibition

1. Before approval of a request for a waiver of a directive or a conflict of interest prohibition, the waiver official must consult with and obtain the concurrence of the HUD counsel in the HUD Field Office.

2. HUD Offices shall advise public housing agencies and Indian Housing Authorities (housing agencies) to submit the following documentation when requesting a waiver of a conflict of interest prohibition for Section 8 Rental Certificate and Rental Voucher Programs or the Section 8 Moderate Rehabilitation Program:

- a. A complete statement of facts in the case.

b. Justification for the waiver of the conflict of interest prohibition.

If the case involves a hardship for a particular family, a statement of facts of the case, including: (a) circumstances of hardship, and (b) alternative housing available under the same or other forms of assisted housing. A "hardship" case includes a case where an eligible in-place family is handicapped, elderly or includes many minors, and moving would be a burden or very difficult because of a shortage of available units meeting housing quality standards.

If the case involves a public official, member of a governing body, State or local legislator, or any member of the Congress of the United States, an explanation of the individual's duties under Federal, State or local law, including reference to any responsibilities that involve the Section 8 program to which the requested waiver relates. Where relevant, the interrelationship of city, county, State and Federal governments should be discussed.

If the case involves an employee or a tenant of the housing agency, there should be an explanation of the responsibilities and duties of the job involved. (An employee would be permitted to receive Section 8 assistance or participate as a Section 8 owner, if the employee is not serving in a capacity which would influence housing agency decision or formulate policy with respect to the Section 8 program. Also, Section 8 tenants may be employed by the housing agency in such nonpolicy and nondecisionmaking positions.) The explanation must describe whether the employee formulates policy or influences decisions with respect to the program. (A PHA employee who is not serving in a capacity to influence housing agency decisions or formulate policy with respect to the Section 8 program may receive assistance or participate as a Section 8 owner.)

If the case involves an investment on the part of an officer or employee of the PHA, or any other non-HUD employee covered by the conflict of interest provisions, the nature of the investment should be described, and any divesture plans specified.

c. Written evidence that the waiver, if granted, would be consistent with State law and local ordinances. Where appropriate, a legal opinion should be obtained from the State Attorney General or housing agency attorney.

d. In cases where a waiver is approved to permit an individual to occupy a specific unit, the waiver should terminate when that tenant vacates the unit. In addition, no person

for whom a waiver is approved shall be given any preferential treatment, nor shall any such person be permitted to exercise functions or responsibilities with respect to a contract to which that person is a party or recipient of a benefit resulting from the contract.

3. HUD Office processing of requests for waiver directives or conflict of interest prohibitions shall be guided by the following:

a. A waiver shall be granted only on a case-by-case basis. For each request, there must be a showing or other evidence of "good cause" which demonstrates that the major interest of providing low income housing overrides the purpose of the directive or conflict of interest prohibitions. The HUD Office shall permanently maintain a fully documented separate file for each waiver.

b. The Field Office must inform the housing authority in writing of its decision regarding the waiver request, and of the basis for the HUD Office determination. Within 30 calendar days after issuance of the waiver, waiver officials must submit a copy of each determination granting a waiver to the Departmental Directives Management Office, Office of Administrative and Management Services-ACES, Office of Administration. A copy should be provided to the Office of Public and Indian Housing, Attention: Directives Management Officer. Copies of waivers of conflicts of interest do not require submission to Headquarters.

c. The Field Office letter approving the waiver must cite the specific directive or conflicts prohibition being waived, the specific conduct being permitted, the time period the waiver shall be in effect (if not indefinitely), as well as the reason(s) for granting the waiver. This is because HUD maintains a record of all such waivers and makes them available for public inspection. The Office of Public and Indian Housing will periodically review all waivers of directives to assess such matters as (a) Whether a particular directive, or provision should be revised (because for example, the exception should become the rule), and (b) whether there is consistency in the granting of waiver requests.

Section D. No Further Redelelegation

The authority granted to waiver officials under this redelegation may not be further redelegated pursuant to this redelegation.

Section E. Authority Superseded

The portions of the following delegations of authority relating to Directives and conflict of interest

prohibitions described above are superseded; 36 F.R. 5004 (March 16, 1971), 36 FR 5005 (March 16, 1971), 38 FR 8011 (March 27, 1973), 41 FR 24755 (June 18, 1976), 45 FR 54143 August 14, 1980, 59 FR 8266 (February 18, 1994).

Authority: Section 7(d), Department of Housing and Urban Development Act [42 U.S.C. 3535(d)], and Section 7(q), Department of Housing and Urban Development Act (42 U.S.C. 3535(q)).

Dated: September 21, 1995.

Joseph Shuldiner,

Assistant Secretary for Public and Indian Housing and Urban Development.

[FR Doc. 95-24228 Filed 9-28-95; 8:45 am]

BILLING CODE 4210-33-M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[OR-094-05-6310-04: G5-223]

Emergency Closure of Public Lands; Douglas County, OR

AGENCY: Bureau of Land Management, Interior.

ACTION: Emergency closure of public lands and access roads in Douglas County, OR.

SUMMARY: Notice is hereby given that certain public lands and access roads in Douglas County, Oregon are temporarily closed to all public use, including vehicle operation, camping, shooting, hiking and sightseeing, from September 26, 1995 through May 31, 1996. The closure is made under the authority of 43 CFR 8364.1.

The public lands affected by this emergency closure are specifically identified as follows:

Willamette Meridian, Oregon

T. 19 S., R. 8 W.

Sec. 7: All that portion of Section 7 lying North and West of Dunn Ridge Road (BLM Road No. 18-8-28.1) and lying North and East of BLM Road. No. 19-8-7

All roads on the public lands listed above are closed as specified above, including specifically BLM Roads Nos. 19-8-7.2, 19-8-7.3 and 19-8-7.4.

The following persons, operating within the scope of their official duties, are exempt from the provisions of this closure order: Bureau employees; state, local and federal law enforcement and fire protection personnel; the holders of BLM road use permits that include roads within the closure area; the purchaser of BLM timber within the closure area and its employees and subcontractors. Access by additional

parties may be allowed, but must be approved in advance in writing by the Authorized Officer.

Any person who fails to comply with the provisions of this closure order may be subject to the penalties provided in 43 CFR 8360.0-7, which include a fine not to exceed \$1,000 and/or imprisonment not to exceed 12 months.

The public lands and roads temporarily closed to public use under this order will be posted with signs at points of public access.

The purpose of this emergency temporary closure is to protect persons from potential harm from logging operations, protect valuable public timber resources from unauthorized damage, and to facilitate authorized timber harvest operations.

DATES: This closure is effective from September 26, 1995 through May 31, 1996.

ADDRESSES: Copies of the closure order and maps showing the location of the closed lands and roads are available from the Eugene District Office, P.O. Box 10226 (2890 Chad Drive), Eugene, Oregon 97440.

FOR FURTHER INFORMATION CONTACT: Terry Hueth, Coast Range Area Manager, Eugene District Office, at (503) 683-6600.

Dated: September 25, 1995.

Terry Hueth,

Coast Range Area Manager.

[FR Doc. 95-24252 Filed 9-28-95; 8:45 am]

BILLING CODE 4310-33-P

[NM-932-4120-05; OKNM 93019]

Invitation to Participate; Exploration for Coal in Oklahoma

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice.

SUMMARY: Members of the public are hereby invited to participate with Farrell-Cooper Mining Company on a pro rata cost sharing basis, in a program for the exploration of coal deposits owned by the United States of America. The lands are located in LeFlore County, Oklahoma, and are described as follows:

Indian Meridian

T. 8 N., R. 26 E., LeFlore Co., OK

Sec. 12, S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 13, N $\frac{1}{2}$;

Sec. 14, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 15, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$;

Sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$;

T. 8 N., R. 27 E.,

Sec. 7, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;

Sec. 8, SW $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 9, S $\frac{1}{2}$ N $\frac{1}{2}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 10, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$;

Aggregating 1,820.00 acres, more or less.

Interested parties may obtain a complete description of the lands covered in the license application by contacting Farrell-Cooper Mining Company, P.O. Box 11050, Ft. Smith, Arkansas 72917-1050, or the Bureau of Land Management New Mexico State Office, Land and Mineral Support Team, Solid Minerals Adjudication, P.O. Box 27115, Santa Fe, New Mexico 87502-0115.

Any parties electing to participate in this exploration program shall notify in writing, both the State Director, Bureau of Land Management, New Mexico State Office, P.O. Box 27115, Santa Fe, New Mexico 87202-0115, and Farrell-Cooper Mining Company, P.O. Box 11050, Ft. Smith, Arkansas 72917-1050. Such written notice must include a justification for wanting to participate and any recommended changes in the exploration plan with specific reasons for such changes. The notice must be received no later than 30-calendar days after the publication of this notice in Federal Register.

This proposed exploration program is for the purpose of determining the quality and quantity of the coal in the area and will be conducted pursuant to an exploration plan to be approved by the Bureau of Land Management.

A copy of the exploration plan as submitted by Farrell-Cooper Mining Company may be examined at the Bureau of Land Management, New Mexico State office, 1474 Rodeo Road, Santa Fe, New Mexico 87502, the Bureau of Land Management, Tulsa District Office, 9522-E 47th Place, Tulsa, Oklahoma 74145-7223, or the Bureau of Land Management, Oklahoma Resource Area Office, 221 N. Service Road, Moore, Oklahoma 73160-4946.

Dated: September 18, 1995.

Gilbert J. Lucero,

Acting State Director.

[FR Doc. 95-24193 Filed 9-28-95; 8:45 am]

BILLING CODE 4310-FB-M

[NV-030-95-1610-00]

Sierra Front/Northwestern Great Basin Resource Advisory Council; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting of the Sierra Front/Northwestern Great Basin Resource Advisory Council.

SUMMARY: The Sierra Front/Northwestern Great Basin Resource Advisory Council will conduct a field